

REMARKS

By this Amendment, claims 42, 63, 72 and 80 are amended. Claims 43-62, 64-71, 73-79 and 81-82 remain in the application. Thus, claims 42-82 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

The Applicants note that an Information Disclosure Statement was filed in the present application on July 15, 2005, which was after the mailing date of the final Office Action. The Applicants respectfully request the Examiner to return an Examiner-initialed copy of the July 15, 2005 Form PTO-1449 to indicate consideration of the reference listed thereon.

In item 2 on page 2 of the Office Action, claims 42, 49-59, 63, 65, 69-72, 74, 75, 80 and 82 were rejected under 35 U.S.C. § 102(b) as being anticipated by Teece (U.S. 5,537,605). Without intending to acquiesce to this rejection, independent claims 42, 63, 72 and 80 have each been amended in order to more clearly illustrate the marked differences between the present invention and the applied references.

Claim 42 recites a network control system in an AVC system to which a plurality of AV apparatuses are connected via a transmission line. The network control system of claim 42 comprises a controller which is equipped with a user interface, and a device which is operable to be controlled. Claim 42 recites that the controller is operable to check the version information inside the device, to read the in-device apparatus information and the version information inside the device from the device, and to detect a change inside the device based on the read version information.

Claim 63 recites a network control system in an AVC system to which a plurality of AV apparatuses are connected via a transmission line. The network control system of claim 63 comprises a controller which is equipped with a user interface, and a device which is operable to be controlled. Claim 63 recites that the controller is operable to check and read the element version information that shows a version of the component elements of the function information table of the device, and to detect a change of information in the function information table by using the element version information when the controller uses the information in the function information table of the device.

Claim 72 recites a network control system having a controller and a device to be controlled, where the controller is equipped with a user interface and the controller is connected to the device to be controlled via a transmission line. Claim 72 recites that the controller is

operable to issue a notification request to the device for requesting notification of the change of the in-device apparatus information in the device, and to check the version information in the device.

Claim 80 recites a network control method having a controller which is equipped with a user interface and which is connected to a device to be controlled via a transmission line. The method of claim 80 as presented in the January 21, 2005 Amendment recited checking the version information in the device from the controller.

Teece discloses an apparatus and method for controlling controllable devices 12a-12n connected to a control unit 10 by means of the control unit 10. The controllable device 12 is responsive to a request from the control unit 10 to supply the control structure definitions of the controllable device 12 to the control unit 10. The control unit 10 responds to an initial operation by transmitting a message to the controllable device 12, and responds to a message from the controllable device 12 to carry out the programming of the control unit 10. That is, by providing the control unit 10 with the control structure definitions of the controllable device 12, the control unit 10 is programmed to act as if it were a dedicated control unit 10 for the controllable device 12 connected to it. (see Column 2, lines 1-25, Column 8, line 60 to Column 9, line 47). Teece also discloses that control structure definitions can be supplied in the form of menus and/or representations of control parameters for display on the control unit.

In the January 21, 2005 Amendment, the Applicants argued that Teece discloses checking the version information of the controllable device 12 is performed by the controllable device 12 and not by the control unit. In particular, the Applicants emphasized that, as disclosed in Column 11, lines 41-62 and with reference to Figure 9, which shows the operation of the controllable device 12 in response to a request for a new menu, if the menu request is invalid, a message is sent to the control unit 10 indicating the invalid menu request. If the menu request is valid, a test is performed to see whether the menu request is a request to send a complete menu descriptor. If the request is to send a complete menu descriptor, a message defining the description of the menu is transmitted to the control unit 10 from the controllable device 12. If the request is to check the number and version of a menu already held by the control unit 10, the number and version of the menu is verified. If the number and/or version of the menu are incorrect, this is reported to the control unit 10, or, alternatively, the correct menu description is

sent to the control unit 10. Otherwise, a message is sent to indicate to the control unit 10 that the menu descriptor which is already possessed is valid.

Accordingly, the Applicants emphasized Teece discloses that in response to a new menu including version information from a control unit, when a request is valid, any one of the following responses is sent back to the controller 10 from the controllable device 12: (1) that the version is incorrect, (2) that the menu information is correct, and (3) that the present menu is correct. Furthermore, the Applicants argued Teece discloses that checking of the version information is performed by the controllable equipment, not the control unit.

However, on pages 16-17 of the present Office Action, the Examiner asserted that claims 42, 63, 72 and 80 do not require that the control unit or controller of the present invention exclusively performs the checking of the version information and that the device to be controlled does not perform the checking of the version information.

In order to clarify the clear differences between the present invention and Teece, independent claims 42, 63, 72 and 80 have each been amended to emphasize that the checking of the version information inside the device to be controlled is performed exclusively by the controller and is not performed by the device.

In particular, claim 42 has been amended to recite that "the checking of the version information inside said device is exclusively performed by said controller and is not performed by said device." Claim 63 has been amended to recite that "the checking and reading of the element version information is exclusively performed by said controller and is not performed by said device." Claim 72 has been amended to recite that "the checking of the version information in said device is exclusively performed by said controller and is not performed by said device." Claim 80 has been amended to recite that the method comprises "checking the version information in the device exclusively from the controller and not from the device."

Accordingly, independent claims 42, 63, 72 and 80 each clearly recite that the checking of the version information in the device is performed exclusively by the controller and is not performed by the device.

As described above and as acknowledged by the Examiner in item 4 on page 16 of the Office Action, the controllable device 12 itself checks its version information. Accordingly, Teece clearly does not disclose or suggest that the checking of the version information in the

device is performed exclusively by the controller and is not performed by the device, as recited in claims 42, 63, 72 and 80.

Therefore, claims 42, 63, 72 and 80 are clearly not anticipated by Teece since Teece fails to disclose each and every limitation of claims 42, 63, 72 and 80.

In item 3 on pages 9-10 of the Office Action, claims 43-48, 61-62, 64, 66-68 and 76-79 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Teece.

As demonstrated above, Teece clearly does not disclose or suggest each and every limitation of claims 42, 68, 72 and 80. For the following reasons, the Applicants respectfully submit that Jerding et al. clearly does not cure the deficiencies of Teece for failing to disclose each and every limitation of claims 42, 68, 72 and 80.

Jerding et al. discloses a system and method for providing a plurality of programming services for a user in a cable television system. Jerding et al. discloses that by using a plurality of data tables, the system is able to access a plurality of different television services, such as cable channels, interactive program guides, and online services such as Internet browsing and e-mail (see Column 11, lines 39-56).

However, Jerding et al. clearly does not disclose or suggest a controller which is operable to check the version information or element version information inside the device, where the checking of the version information or element version information inside the device is exclusively performed by the controller and is not performed by the device, as recited in claims 42, 63, 72 and 80.

Thus, Jerding et al. clearly does not cure the deficiencies of Teece for failing to disclose or suggest each and every limitation of claims 42, 68, 72 and 80. Therefore, no obvious combination of Teece and Jerding et al. would result in the inventions of claims 42, 68, 72 and 80 since Teece and Jerding et al., either individually or in combination, clearly fail to disclose or suggest each and every limitation of claims 42, 68, 72 and 80.

Accordingly, claims 42, 68, 72 and 80 are clearly patentable over Teece and Jerding et al.

Furthermore, it is submitted that the clear distinctions discussed above are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Teece and Jerding et al. in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 42, 68, 72 and 80. Therefore, it is

submitted that the claims 42, 68, 72 and 80, as well as claims 43-67, 69-71, 73-79 and 81-82 which depend therefrom, are clearly allowable over the prior art as applied by the Examiner.


In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Yoshifumi YANAGAWA et al.

By:


Jonathan R. Bowser
Registration No. 54,574
Attorney for Applicants

JRB/nrj
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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